

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Achim Kraiss Art Unit : 2128
Serial No. : 10/757,651 Examiner : David Silver
Filed : January 14, 2004 Conf. No. : 3935
Title : COMPUTING PREDICTION RESULTS

MAIL STOP AF

Commissioner for Patents
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REPLY TO ACTION OF SEPTEMBER 2, 2009

The Action mailed September 2, 2009, maintained the rejection of all pending claims 1, 3, 5-6, 11-12, and 32-39, and made the rejections final. Applicant respectfully requests reconsideration of the pending claims in view of the following remarks, and asks that the finality of the rejections be withdrawn and the claims be allowed.

Examiner Interview

Applicant thanks Examiner Silver for participating in the interview on Tuesday, October 20, 2009. Participating in the interview on behalf of Applicants was the undersigned attorney, Stephen Schaefer. Applicant appreciated the opportunity to discuss the claims and the important advantages achieved from the claimed subject matter. Applicant discussed how the claims recite features that are not taught by Fujiwara (U.S. Pub. No. 2002/0091875) and Davis (U.S. Pub. No. 2004/0034570). The Examiner appeared to agree that the cited references fail to teach each and every claim feature, although no final agreement was reached on that point. The Examiner also identified the game "20 Questions" as potential prior art to consider, in the event the Examiner removes the rejection based on the prior art of record. Following the interview, Applicants representative have acquired information on the game "20 Questions," and submit that the game's operation, even if considered as prior art, does not preclude patentability of the presently pending claims. This information is being submitted in a Supplemental Information Disclosure Statement being filed concurrently with this Reply. Accordingly, Applicants maintain, as

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I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: November 16, 2009